



ESTES PARK
COLORADO

Estes Valley Rezoning



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WHERE DO I START?

Contact the Community Development Department to discuss your idea with a planner. This will help you understand what zoning is and how to get your zoning changed. From there, a pre-application meeting will be scheduled (see "Pre-Application Meeting" handout).

At the pre-application meeting, you will meet with staff to discuss the review process, timeframe, and costs.

WHAT IS ZONING?

Zoning separates different land uses such as residential and commercial into different areas. These areas are shown as 'zones' on a map that has been adopted by the Town and County.

Each of these zones has different rules to provide orderly land use patterns and development in a community.

Chapter 4 of the Estes Valley Development Code (EVDC) explains the zoning districts in the Valley, and outlines what uses are allowed in each zone.

WHY IS MY PROPERTY ZONED THE WAY IT IS?

In February 2000, the Town and County adopted the EVDC. This code established the zoning for all parcels in the Estes Valley, including yours.

In most instances, property was zoned based on its existing use, such as commercial or residential. If you have questions about the zoning history of your land, please contact the Community Development Department.

WHO APPROVES A CHANGE TO MY ZONING?

In order to change the zoning of your property, your request will be reviewed by the Estes Valley Planning Commission who will hold a

public hearing and make a recommendation to the Board*.

The Board will hold a public hearing, review the Planning Commission recommendation and either approve or disapprove your request.

These meetings are open to the public, and include newspaper and neighborhood notices. Staff suggests you contact neighbors to describe your project.

WHAT ARE MY CHANCES OF SUCCESS?

Rezoning property in the Valley tends to be difficult, unless it is a *corrective rezoning*. This is because the entire Valley was rezoned in January 2000 to implement the adopted land use plan. Rezoning requests by their nature tend to counter this adopted land use plan, especially those that will increase the intensity of use on a property.

Corrective rezonings are the exception. They are instances when the 2000 plan was in error. For example, you might have a single-family dwelling on your property, and it was zoned commercial, or perhaps you have several dwellings on your property and it was zoned for single-family use. In these cases, your property would be considered nonconforming, and might be eligible for rezoning.

WHAT ARE THE REVIEW STANDARDS?

Rezonings are reviewed for compliance with the standards listed below and with other applicable provisions of the EVDC:

1. The rezoning is necessary to address changes in conditions in the areas affected;

* Properties inside Town are reviewed by the Town Board; properties in the unincorporated Valley are reviewed by the Board of County Commissioners.

2. The development plan, which the proposed rezoning would allow, is compatible and consistent with the policies and intent of the Comprehensive Plan and with existing growth and development patterns in the Estes Valley; and,
3. The Town, County or other relevant service providers shall have the ability to provide adequate services and facilities that might be required if the application were approved.

HOW LONG WILL THIS TAKE?

It depends, but usually 4-6 months. It takes this long to allow for affected agency review, advertise in the paper and notify neighbors, schedule the planning commission meeting, and forward to the Board. Due process is a vital component in changing zoning of property.

You can find our review schedules on our webpage.

WHAT IS THE REVIEW PROCESS?

Step 1. Pre-Application Meeting: The first step is called a pre-application meeting. These meetings require submittal of a sketch plan prepared by a qualified professional. Staff recommends you have your representative present at this meeting.

At this meeting you will meet with staff, who will explain the process in detail, and you will have an opportunity to ask any questions you may have.

Step 2. Application submittal and completeness review: The next step is the application submittal. This requires submittal of an application form, filing fee, development plan (unless waived at pre-application meeting), and supporting documents such as a statement of intent.

Applications are routed to agencies such as the water department, sanitation districts, and the engineering department to determine if the application is complete for review.

Step 3. Staff Review and Report: Complete applications are routed to affected agencies for review and comment. Planning division staff will consolidate these comments, review for compliance with the EVDC, and prepare a report for Planning Commission review.

Step 4. Planning Commission: The Estes Valley Planning Commission will hold a public hearing and review for compliance with the Estes Valley Comprehensive Plan and the EVDC, and make a recommendation to the Board.

Step 5. Board Decision: After Planning Commission recommendation, requests are forwarded to the Board for final review and determination (i.e. approval or disapproval).

HOW MUCH WILL THIS COST?

Application fees. Please refer to the Estes Valley Development Review Fee Schedule for current application fees. There is an application fee for the pre-application meeting and the application submittal. These fees are intended to help offset staff review time, legal review, and notices, and are nonrefundable.

Development Plan. Rezoning applications require submittal of a development plan prepared by a qualified professional such as an architect or engineer. This can cost several thousand dollars (see "Development Plan" handout).

Adequate Public Facilities. Rezoning also require compliance with adequate public facilities such as utilities and roads (see EVDC Section 7.12). Upgrades to these systems is at the applicant's expense.

Change of use. Rezoning may also require a change of use permit from the building department. Please contact the Building Department to discuss any building permit requirements. Changes of use may require building improvements such as installation of sprinkler systems or compliance with the Americans with Disabilities Act (see "Change of Use Permit" handout).

Note: This information was summarized from EVDC Section 3.3 *Code Amendments*. These regulations can be accessed online at www.estes.org

TOWN OF ESTES PARK PLANNING DIVISION